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MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C
ONE FINANCIAL CENTER
BOSTON MA 02111

In re Patent No. 7,592,150 : DECISION ON REQUEST FOR
DOTAN et al. : RECONSIDERATION OF
Issue Date: September 22, 2009: PATENT TERM ADJUSTMENT
Application No. 10/728,227 : AND
Filed: December 3, 2003 : NOTICE OF INTENT TO ISSUE
Docket No. 25681-502-P : CERTIFICATE OF CORRECTION

This is a decision on the petition filed on November 20, 2009, which is being treated as a petition under 37 CFR 1.705(d) requesting reconsideration of the patent term adjustment calculation.

The request for reconsideration of the patent term adjustment calculation is **GRANTED to the extent indicated herein**. The term of the above-identified patent is extended or adjusted by **eight hundred fifteen (815) days**.

On November 20, 2009, patentee submitted a petition under 37 CFR 1.705(d) and fee. On March 12, 2010, patentee filed a Request for Recalculation of Patent Term Adjustment in View of Wyeth. On April 13, 2010, the Office mailed a decision granting the petition under 37 CFR 1.705(d) to the extent that a certificate of correction would be issued indicating that the term of the patent was extended or adjusted by 815 days. On April 21, 2010, the Office mailed a "DECISION ON REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT IN VIEW OF WYETH AND NOTICE OF INTENT TO ISSUE CERTIFICATE OF CORRECTION" indicating that the patent term adjustment had been determined to be 1218 days.

The Office notes that the decision of April 21, 2010, was issued in error as it accorded patentee 403 more days of patent term adjustment than were warranted. Accordingly, the decision of April 21, 2010, is withdrawn. The present decision supersedes the decision mailed on April 21, 2010.

The Office has determined that the patent term adjustment for the above-identified patent is **815 days**. The 403 additional days of adjustment will be removed.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentee is given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The Office acknowledges the previous submission of the required fee of \$200.00 set forth in 37 CFR 1.18(e).

This matter is being referred to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **815 days**.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

Enclosures: Copy of DRAFT Certificate of Correction and Copy of REVISED PAIR Screen

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,592,150 B2
DATED : Sept. 22, 2009
INVENTOR(S) : Dotan et al.

DRAFT

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 412 days

Delete the phrase "by 412 days" and insert – by 815 days--



PTA Calculations for Application: 10/728227

Application Filing Date:	12/03/2003	PTO Delay (PTO):	999
Issue Date of Patent:	09/22/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	184
Post-Issue Petitions:	0	Total PTA (days):	815
PTO Delay Adjustment:	0		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
95	06/07/2010	ADJUSTMENT OF PTA CALCULATION BY PTO		403	
91	04/17/2010	PETITION DECISION - GRANTED			
90	04/13/2010	MAIL-RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ISSUE			
89	04/13/2010	RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ISSUE			
89	04/13/2010	RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ISSUE			
88	04/09/2010	ADJUSTMENT OF PTA CALCULATION BY PTO			
88	04/09/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	403		
87	03/12/2010	PETITION ENTERED			
86	11/20/2009	PETITION ENTERED			
85	10/21/2009	POST ISSUE COMMUNICATION - CERTIFICATE OF CORRECTION			
84	09/22/2009	RECORDATION OF PATENT GRANT MAILED			
83	09/02/2009	ISSUE NOTIFICATION MAILED			
82.5	01/10/2008	PTA 36 MONTHS	403		
82	09/22/2009	PATENT ISSUE DATE USED IN PTA CALCULATION			
81	08/21/2009	EXPORT TO FINAL DATA CAPTURE			
80	08/20/2009	DISPATCH TO FDC			
79	08/13/2009	MAIL-PETITION DECISION - DISMISSED			
78	08/13/2009	PETITION DECISION - DISMISSED			
77	06/30/2009	PETITION ENTERED			
76	07/01/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
75	06/30/2009	ISSUE FEE PAYMENT VERIFIED			

74	06/30/2009	ISSUE FEE PAYMENT RECEIVED			
73	05/05/2009	FINISHED INITIAL DATA CAPTURE			
72	04/03/2009	EXPORT TO INITIAL DATA CAPTURE			
71	04/01/2009	RESPONSE TO REASONS FOR ALLOWANCE			
69	03/31/2009	MAIL NOTICE OF ALLOWANCE			
68	03/27/2009	ISSUE REVISION COMPLETED			
67	03/27/2009	DOCUMENT VERIFICATION			
66	03/27/2009	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
65	03/27/2009	CASE DOCKETED TO EXAMINER IN GAU			
64	03/26/2009	EXAMINER'S AMENDMENT COMMUNICATION			
63	03/26/2009	NOTICE OF ALLOWABILITY			
62	03/23/2009	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
61	03/25/2009	DATE FORWARDED TO EXAMINER			
60	03/18/2009	RESPONSE AFTER NON-FINAL ACTION			
55	03/18/2009	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)			
54	03/12/2009	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
53	12/23/2008	MAIL NON-FINAL REJECTION			
52	12/22/2008	NON-FINAL REJECTION			
51	10/22/2008	PARALEGAL TD ACCEPTED			
50	09/05/2008	TERMINAL DISCLAIMER FILED		0	47
49	09/05/2008	MISCELLANEOUS INCOMING LETTER			
48	10/17/2008	DATE FORWARDED TO EXAMINER			
47	09/05/2008	RESPONSE AFTER NON-FINAL ACTION		92	43
46	09/05/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			
45	07/09/2008	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)			
44	06/26/2008	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
43	03/05/2008	MAIL NON-FINAL REJECTION			
42	02/28/2008	NON-FINAL REJECTION			
41	01/11/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
40	01/29/2008	DATE FORWARDED TO EXAMINER			
39	01/11/2008	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			

38	01/29/2008	DATE FORWARDED TO EXAMINER			
37	01/11/2008	REQUEST FOR CONTINUED EXAMINATION (RCE)		92	33
36	01/29/2008	DISPOSAL FOR A RCE / CPA / R129			
35	01/11/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			
34	01/11/2008	WORKFLOW - REQUEST FOR RCE - BEGIN			
33	07/11/2007	MAIL FINAL REJECTION (PTOL - 326)			
32	07/09/2007	FINAL REJECTION			
31	04/29/2007	DATE FORWARDED TO EXAMINER			
30	04/05/2007	RESPONSE AFTER NON-FINAL ACTION			
29	01/05/2007	MAIL NON-FINAL REJECTION			
28	12/29/2006	NON-FINAL REJECTION			
27	10/04/2005	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
26	03/17/2006	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
25	11/01/2006	DATE FORWARDED TO EXAMINER			
24	10/20/2006	RESPONSE TO ELECTION / RESTRICTION FILED			
23	09/22/2006	MAIL RESTRICTION REQUIREMENT	596		-1
22	09/18/2006	REQUIREMENT FOR RESTRICTION / ELECTION			
21	03/17/2006	REFERENCE CAPTURE ON IDS			
20.7	03/17/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
20	03/17/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
19	10/04/2005	REFERENCE CAPTURE ON IDS			
18.7	10/04/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
18	10/04/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
17	09/27/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
16	09/27/2004	CASE DOCKETED TO EXAMINER IN GAU			
15	06/18/2004	NEW OR ADDITIONAL DRAWING FILED			
14	06/18/2004	PRELIMINARY AMENDMENT			
13	07/13/2004	APPLICATION RETURN FROM OIPE			
12	07/13/2004	APPLICATION RETURN TO OIPE			
11	07/13/2004	APPLICATION DISPATCHED FROM OIPE			
10	07/13/2004	APPLICATION IS NOW COMPLETE			

9	06/18/2004	ADDITIONAL APPLICATION FILING FEES			
8	06/18/2004	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC			
7	06/18/2004	APPLICANT HAS SUBMITTED NEW DRAWINGS TO CORRECT CORRECTED PAPERS PROBLEMS			
6	03/18/2004	NOTICE MAILED--APPLICATION INCOMPLETE--FILING DATE ASSIGNED			
5	03/01/2004	CLEARED BY L&R (LARS)			
4	02/11/2004	REFERRED TO LEVEL 2 (LARS) BY OIPE CSR			
3	02/11/2004	CASE CLASSIFIED BY OIPE			
2	12/28/2003	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	12/03/2003	INITIAL EXAM TEAM NN			

Search Another: Application#

EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

To go back, right click here and select Back. To go forward, right click here and select Forward. To refresh, right click here and select Refresh.

Back to [OASIS](#) | [Home page](#)